

SUFFOLK, ss.

The Board noted that the off –street parking space in issue was typical for the area. The building official was obligated to cite the Code requirement, but the building official did not oppose the Board’s granting relief and the fire official did not oppose granting relief. (Exhibit 2). When Appellant’s vehicle is parked in the area in question, there is approximately 27” to 36” of width between the side of the vehicle and posts (as shown in Exhibit 1, attachment #7). The parking spot is deeded to Appellant. Appellant will move the vehicle whenever asked. The parking use/space has been in effect at least since 2005, when the building became a condominium. But the building has

contained 5 units well before then (possibly as far back as 1937). Finally, the Board noted that an individual can pass by the vehicle to the building egress.

Conclusion

The Board considered a motion to allow a variance from 780 CMR 1002.1, based on the facts as described above and set forth in the record (“Motion”). The Motion was **approved** by two to one vote (Nunnemacher opposed).



H. Jacob Nunnemacher

Douglas Semple, Chair

Alexander MacLeod

Any person aggrieved by a decision of the State Building Code Appeals Board may appeal to Superior Court in accordance with G.L. c.30A, §14 within 30 days of receipt of this decision.

DATED: December 19, 2011